

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**WILLIAM ROBERT WIGGINS,
Plaintiff,**

v.

**NANCY A. BERRYHILL, Acting
Commissioner of Social Security
Administration,¹
Defendants.**

CIVIL ACTION

NO. #16-3991

O R D E R

AND NOW, this 25th day of April, 2017, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review (ECF #13) and Defendant's Response to Request for Review of Plaintiff (ECF #14), and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter (ECF #15), and the Defendant's Objection thereto (ECF #16), **IT IS ORDERED:**

1. The Report and Recommendation of United States Magistrate Judge Thomas J. Rueter dated February 24, 2017 is **APPROVED** and **ADOPTED**;
2. Plaintiff's Request for Review is **GRANTED** to the extent that it seeks a remand, and **DENIED** in all other respects; and,
3. The case is **REMANDED** to the Commissioner of the Social Security Administration in accordance with the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.

¹ On January 23, 2017, Nancy A. Berryhill became the Acting Commissioner of the Social Security Administration. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted as the defendant in this case.